

**Commonwealth of Massachusetts
Department of Conservation and Recreation
Motorized Trail Recreation Facility Assessment Policy**

POLICY:

The Department of Conservation and Recreation promotes recreation activities which are sustainable within the natural and cultural resources in the care of the Department. Recreation activities should not diminish the resource beyond the capacity of maintenance and operating systems to protect, restore, and sustain them. Motorized trail recreation may be a sustainable recreational activity when appropriate precautions are taken to properly site, manage and maintain such trails. Consistent with this policy the Department has established the following procedures and assessment criteria to guide the agency in the management of motorized trail recreation activities.

Effective siting and operation of designated trails are essential to a sustainable OHV management program; but these activities alone will not correct the widespread environmental and social impacts occurring in the Commonwealth due to off highway vehicles. Sustainable management of this recreational use also depends on effective enforcement and a coordinated education and communication effort. DCR shall cooperate with law enforcement agencies, other land managers, user groups, environmental and community interests, and other stakeholders to ensure that significant advances are made in each of these essential elements of a sustainable motorized trail recreation strategy.

APPLICABILITY:

These criteria shall apply to all DCR lands recognizing that the criteria themselves specifically preclude motorized trail recreation within various categories of agency property.

For the purposes of this policy, Off Highway Vehicles (OHV's) shall include All Terrain Vehicles (ATV's) weighing less than 1000 pounds and Off Highway Motorcycles (OHM's). Snowmobiles are not subject to this policy. Trail vehicles weighing more than 1000 pounds such as four wheel drive trucks or Jeeps are prohibited from DCR trails under state regulation.

PROCEDURES:

1. All Off Highway Vehicle (OHV) trail areas or areas under consideration for OHV use on lands managed by the Department of Conservation and Recreation shall be evaluated by the agency using a 2-step (coarse filter and fine filter) process. Evaluation criteria are identified below.

2. The agency shall establish a multi-disciplinary team to conduct any site evaluation process. At a minimum, the team shall include DCR staff representing facility-specific operations, district management, regional management, natural resources planning, forest management and/or ecological management, cultural resources management, recreation management and trails management. The team may also include representation from other state agencies, local government or entities offering site or resource specific skills or knowledge.
3. The team shall utilize pertinent and available geographic information system data layers and planning tools to assess and document property conditions.
4. The agency shall communicate results of the assessment process within the local and or regional community. Community communications should include a public presentation of results whenever the assessment may lead to a change in motorized trail recreation management at the property. Other processes may include communication on DCR's website, local or regional media communications and other means.

CRITERIA FOR ASSESSING DCR PROPERTIES FOR OFF HIGHWAY VEHICLE USE

COARSE FILTER PROCESS

Forests, parks, reservations or other areas must be in compliance with the following eight coarse criteria to be considered for facility-specific OHV trail development or operation.

- 1) Motorized trail use on the property must be consistent with DCR's Statewide Recreation Opportunity Policies and Standards.
- 2) Motorized trail use must be consistent with the property's Resource Management Plan. All properties with designated OHV trails must have a Resource Management Plan completed by 2010
- 3) No deed restrictions, laws, purchase funding source restrictions, or other agreements prohibit the use of OHV's on the property.
- 4) OHV use is prohibited on lands managed by the DCR Division of Water Supply Protection, in accordance with 350 CMR 11.09(2)(a)(12) and all Watershed Protection Plans, Watershed Public Access Plans, and Watershed Land Management Plans.
- 5) Less than 50 percent of the area being considered for OHV use may be composed of the following types of areas in combination: (DCR will only consider contained and contiguous parcels of adequate size to support an OHV trail system and provide adequate protection of important resource areas. If OHV use is determined to be an acceptable use that OHV use may not occur within these special areas except as provided under applicable regulations or policies):
 - a) Priority Habitat of Rare Species as identified by the Massachusetts Natural Heritage and Endangered Species Program (MNHESP)

- b) Priority Natural Communities as identified by the MNHESP.
 - c) Wetland resources protected under the Code of Massachusetts Regulations (310 CMR 10)
 - d) Areas identified as Zone 1 under DCR's Land Stewardship Zoning classification.
 - e) Forest Reserve Areas
 - f) Areas designated under the Areas of Critical Environmental Concern (ACEC) Program
 - g) Drinking water supply watershed resources protected under 350 CMR 11.00.
 - h) Grades in excess of 40%
 - i) Areas designated under the DCR Wildlands program
 - j) Land identified as Zone A or B for the protection of surface water supplies and regulated under 310 CMR 22.20
- 6) If it is to be a self-contained trail network, the property offers adequate terrain and trail mileage to meet the recreational needs of intended users. A typical trail system for diverse motorized users should offer a trail network of at least 30 miles.
- 7) If it is to be a trail corridor link, the trails which are being connected exist or will exist when the trail corridor link is established, or shortly thereafter.

FINE FILTER PROCESS:

OHV areas that have passed the coarse filter criteria above shall be eligible for further analysis during a planning and layout phase. An OHV Facility Management Plan for the property must be prepared which meets the following fine filter criteria.

Environmental & Resource Protection

- 1) The proposed trail layout is in compliance with the Massachusetts Endangered Species Act (MESA) and applicable regulations (321 CMR 10)
- 2) The proposed trail layout avoids known locations of state listed endangered species, threatened species, species of special concern or their habitat, as specified on a site-specific basis by the Natural Heritage and Endangered Species Program.
- 3) The proposed trail layout does not negatively impact Priority Natural Communities and vernal pools as identified and mapped by Massachusetts Natural Heritage and Endangered Species Program (MNHESP). Degrees of impacts shall be determined by DCR in consultation with MNHESP.
- 4) The proposed trail layout does not negatively impact Core Habitat as determined by DCR in consultation with MNHESP.
- 5) The proposed trail layout is in compliance with approved species management conservation plans.

- 6) The proposed trail layout complies with the Watershed Protection Act and applicable DCR regulations and policies for the protection of the metropolitan water supply (350 CMR 11.00)
- 7) The proposed trail layout complies with Massachusetts regulations and policies for the protection of wellheads as determined by the Department of Environmental Protection.
- 8) The proposed trail layout is in compliance with the Wetlands Protection Act and applicable regulations (310 CMR 10)
- 9) The proposed trail layout complies with DCR regulations and policies for the protection of areas classified as Zone 1 under DCR's Land Stewardship Zoning.
- 10) The proposed trail layout complies with DCR regulations and policies for the protection of Forest Reserves.
- 11) The proposed trail layout does not negatively impact natural or cultural resources protected under the Areas of Critical Environmental Concern (ACEC) Program as provided under applicable regulations or policies
- 12) The proposed trail layout complies with DCR regulations and policies for the protection of areas designated as Wildlands.
- 13) The proposed trail layout is not located on earthen dams, dikes, and spillways.
- 14) The proposed trail layout minimizes further fragmentation of blocks of forestland by locating trails on areas with existing development whenever possible.
- 15) The proposed trail layout avoids areas having soil types identified as restricted for trail or road development as defined by the Natural Resources Conservation Service, unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.
- 16) The proposed trail layout avoids grades in excess of 30%.
- 17) The proposed trail layout avoids alteration or disturbance of unique geologic features, formations, and designated state geologic waysides, as specified on a site-specific basis by the state geologist.
- 18) The proposed trail layout does not alter, disturb, or negatively impact cultural and historic resources as determined by DCR in consultation with Massachusetts Historic Commission.

- 19) The proposed trail layout does not negatively impact trails of national, statewide or regional significance as identified by the Massachusetts Greenway Plan.
- 20) The OHV Facility Management Plan includes a monitoring and response system designed to detect and correct adverse environmental impacts.

Trail and Facility Design

- 1) The proposed trail layout complies with DCR standards for trail design, construction, and maintenance.
- 2) The proposed trail layout does not violate federal or state laws.
- 3) Trail and facility design considers local planning and zoning ordinances and other local regulation.
- 4) The proposed trail layout does not pass through a parcel with deed restrictions or other agreements regarding motorized trail use.
- 5) The proposed trail layout does not lead users to private property, utility corridors or other public land that does not allow for OHV use unless specific written permission is on record with the Department.
- 6) The proposed trail layout would not produce noise impacts in excess of established Massachusetts regulations and or industry standards.
- 7) The proposed trail layout segregates incompatible uses.
- 8) Trail and facility design provides for adequate parking for the amount and type of trail and the number of anticipated users.
- 9) The proposed trail layout incorporates existing motorized off road travel corridors whenever possible.
- 10) The proposed trail layout complies with legal and public safety requirements for safe crossing of public ways, roads or other trails.

Trail and Facility Operation and Management

- 1) The OHV Facility Management Plan must address facility operations needs including funding, budgeting and revenue management; trail and facility maintenance; monitoring, enforcement, educational programming and staffing.

- 2) The facility is supported by an organized OHV club or organization whose responsibilities are established through a Memorandum of Agreement or other management contract between the organization, the Department and any other entities directly involved in the operation or management of the facility.
- 3) The OHV Facility Management Plan has been reviewed by local municipal public safety personnel for public safety and emergency access considerations.